

Mpca call

Monday, March 12, 2018

11:03 AM

Epa:wester, pierard, bauer, compton, ackerman, mckim

Mpca - clark, schmidt, udd(?)

Responses to questions from last call:

Waiving ability to do unannounced inspections - draft language is generic across all permits. not interpreted as having to announce.

Authority to impose internal waste stream limits - epa's authority is limited. MN 115.03 subdiv 1e4, general powers and duties of mpca. ... one of the powers mpca given.... Construction, operation, maintenance..... Disposal system. Jill - is the statute part of the npdes approved program. Ms - this is part of our general program authority so it should have been cited as part of program that was cited for npdes approval authority. Jr - how does this work with mn rules at 7001.0180 .Q Commissioner establishes internal wastestream limits only where final outfall limitations are infeasible. MS - where there is rp we would, but did not, so applied at internal outfall. ms explains rationale - the way the facility is designed. Km - the only way this is ensured is via the operating limit. 10mg/l limit is extra requirement to provide reasonable assurance. Barbara explains that it doesn't seem like the authority is npdes authority. we will need to go and research if the rule cited is part of the approved program. Epa/citizen suit rprovisions can be hinged on state rules that are outside of approved program. It is a problem if permit is only enforceable by your own state. Mpca will discuss internally some more.

Outfall administrative extraction - mike - advice - not a major mod. Minnesota rules for mods authorize mods that do not authorize increase in pollutants. Would be allowed under mn rule 7001.0190.3c

Talking about termination - viewed figure that richard shared.

Diverted into question of whether WET is limited or not .

Bw - significance of sulfate op limit, if there were to be some action... by leg... to remove sulfate limits.... Would this result in permit mod, or would it result in change to operation/water treatment plant.

Jeff provides update on comment letter - lottheimer has been in contact with kp, chris. Kp - we briefed RA on Friday. She was going to talk to stein either Friday or Monday (today). No agreement b/w shannon and chris on how to proceed.